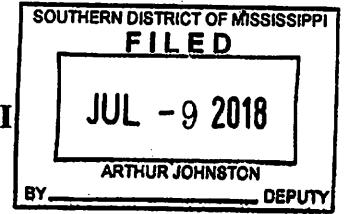


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



DOUGLAS HANDSHOE

PLAINTIFF

VS.

CIVIL ACTION NO. 1:15cv382HSO-JCG

VAUGHN PERRET, CHARLES LEARY &
DANIEL ABEL, D/B/A TROUT
POINT LODGE LTD OFNOVA SCOTIA
& IN THEIR INDIVIDUAL CAPACITIES
PROGRESS MEDIA GROUP LIMITED,
MARILYN SMULDERS, TORSTAR
CORPORATION, NATIONAL
GEOGRAPHIC SOCIETY, XYZ
FOUNDATION & JOHN DOES 1-50

DEFENDANTS

DEFENDANT CHARLES LEARY'S
PRO SE MOTION FOR AN ORDER DIRECTED
TO DOUGLAS HANDSHOE REGARDING SERVICE
IMMUNITY

COMES NOW Defendant and Plaintiff by counterclaim Charles Leary, appearing *pro se*, and files this his Motion respectfully requesting that the Court order Mr. Handshoe to refrain from attempting to serve Dr. Leary with any process from any other cases and/or courts while Dr. Leary is being deposed. Dr. Leary has a good faith belief that Mr. Handshoe is attempting to serve him with process and that this is the true reason Mr. Handshoe has repeatedly requested Dr. Leary's exact location. Such conduct is not at all conducive to Dr. Leary's cooperation in appearing for a deposition. "The general rule [is] that witnesses, suitors, and their attorneys, while in attendance in connection with the conduct of one suit, are immune from service of process in another[.]" *Id.* at 225, 52 S.Ct. 317; *see also Stewart v. Ramsay*, 242 U.S. 128, 129, 37 S.Ct. 44, 61 L.Ed. 192 (1916) ("[S]uitors, ... coming from another jurisdiction, are exempt from

service of civil process during the period required for their attendance in court and for a reasonable period of time in coming and going").

RESPECTFULLY SUBMITTED, this the 4 day of July, 2018.



CHARLES LEARY, DEFENDANT
appearing *pro se*

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Canada

(902) 482-8360
foodvacation@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that, on July 4, 2018, I caused a true and correct copy of the above and foregoing to be filed utilizing the Court's CM/ECF electronic document filing system, which caused notice of such filing to be delivered to all counsel of record and parties requesting notice, and by United States First Class Mail, postage prepaid, to the following non-ECF participants having appeared in this action:

[none]



Charles L. Leary